

Notice of Allowability

Application No.

09/980,444

Examiner

James R. Brittain

Applicant(s)

SAVICKI, ALAN F.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's communication of August 30, 2004.
2. ☒ The allowed claim(s) is/are See attachment.
3. ☒ The drawings filed on 14 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 08302004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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The following is an examiner's statement of reasons for allowance: Heuvel (US 6036364, figures 1-3) is closest art of record. There is no suggestion to modify the closure device of Heuvel so that the door portions 306, 310, which are hingedly attached to the main body portion 308, includes a first side surface, the first side surface being spaced apart from the main body portion when the door portion is in the open position and is adjacent the main body portion when the door portion is in the closed position as required by claims 1, 36, 50 and 64. Further, there is no suggestion to modify the closure device of Heuvel so that the main body portion 308 would include a transverse body segment arranged substantially perpendicular to the main body portion and having a pair of downwardly extending side members with an opening therebetween, the opening being sized to receive the interlocking fastening strips as required by claims 88, 116, 127 and 138. Further, there is no suggestion to modify the closure device of Heuvel so that the main body portion 308 would include a downwardly extending side leg segment disposed along a side thereof and a transverse body segment disposed at an end thereof, the side leg segment having a shoulder at a lower end thereof and the transverse body segment having a pair of spaced-apart side members with an opening therebetween as required by claims 149, 170, 176 and 182. Further, there is no suggestion to modify the closure device of Heuvel so that the slider member latching mechanism 130 would be integral with the slider member because it must be separated therefrom to extend through the apertures in the door portions as required by claims 188, 206, 224 and 242.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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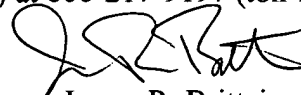
fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 1-4, 7, 8, 14-17, 9-13, 18-27, 29, 30, 28, 31-39, 42, 43, 46, 47, 44, 45, 48-53, 56, 57, 60, 61, 58, 59, 62, 63, 47-82, 64-67, 70, 71, 74, 75, 72, 73, 76, 77, 83-108, 110, 109, 111-161, 163, 164, 162, 165-197, 199, 200, 198, 201-215, 217, 218, 216, 219-233, 235, 236, 234, 237-251, 253, 254, 252 and 255-259; renumbered 1-251 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (703) 308-2222. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James R. Brittain
Primary Examiner
Art Unit 3677

JRB